

GOA STATE INFORMATION COMMISSION

"Kamat Towers" 7th Floor, Patto Plaza, Panaji, Goa – 403 001

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Appeal No. 201/2024/SCIC

Mrs. Devoniz Fernandes,
R/o. H.No.857, Vithaldas Vaddo,
Morjim, Pernem-Goa.

-----Appellant

V/s

1.The Asst. Public Information Officer(Revenue),
Public Works Department,
Sub Division-I, WD. XVII, PHE-N,
Pernem-Goa 403512.

2.The Public Information Officer,
Executive Engineer, WD. XVII, PHE-N,
Alto-Porvorim, Bardez-Goa 403501.

3.The First Appellate Authority,
The Superintendent Surveyor of Works,
PWD office, Altinho Panaji-Goa.

-----Respondents

Shri. ARAVIND KUMAR H. NAIR - State Chief Information Commissioner, GSIC

Relevant Facts Emerging from the Appeal.

RTI application filed on	- 04-04-2024
PIO replied on	- 25-06-2024
First Appeal filed on	- 31-05-2024
First Appellate order on	- 25-06-2024
Second appeal received on	- 23-09-2024
Decision of the Second Appeal on	- 22-04-2025

Information sought and background of the Appeal

- Mrs. Devoniz Fernandes filed an application dated 04/04/2024 under RTI Act, 2005 to the PIO, PWD, Pernem Sub Division seeking following information in respect of her two complaint/letters dated 20/11/2023 and 29/12/2023 to the PWD for disconnection of water connection at House No.1092/A of Village Morjim :

- "kindly provide information/documents and reasons for falsely issuing information vide letter dated 14/02/2024 stating that the temporary disconnection will be done within 7 days after payment of pending water bill.*
- Reasons for not disconnecting even after payment of pending dues.*

- c) *Whether the temporary disconnection sought for is domestic or commercial connection.*
 - d) *Can the Authority/PWD sue moto convert the domestic connection as commercial connection.*
 - e) *Whether PWD has no right to disconnect the water connection as per the request the water connection as per the request of consumer and allow supply of water connection for commercial purpose on domestic charges.*
 - f) *Whether the PWD can give false information under RTI stating that temporary disconnection will be done within 7 days after payment of pending.*
2. In response to the RTI application, PIO (Executive Engineer, WD. XVII (WS), PWD) vide letter dated 25/06/2024 replied as under :
- i. *Point No.1 - No false information has been provided.*
 - ii. *Point No.2 - Copy enclosed.*
 - iii. *Point No.3 - As per the Water Bill issued the category in commercial category (Bill copy enclosed).*
 - iv. *Point No.4 - As per Official Gazette (copy enclosed).*
 - v. *Point No.5 - Not Applicable.*
 - vi. *Point No.6 - No false information has been provided.*
3. Aggrieved by the reply received from the PIO, Appellant filed first appeal dated 31/05/2024 u/s 19(1) of the Act before the First Appellate Authority requesting to issue direction to the Respondent PIO to furnish information free of charge. The FAA (SSW/PWD) vide order dated 25/06/2024 directed the Respondent PIO to furnish information sought by the Appellant, free of cost.
4. Subsequently, the Appellant filed Second appeal dated 23/09/2024 before the Commission stating that Respondent No.1 and 2 have denied information till date and prayed for direction to the Respondent PIO to furnish information and also impose penalty and recommend disciplinary proceedings against Respondent for malafidely not providing the information till date.

Relevant Facts Emerging in course of Hearing

5. Pursuant to the filing of the present appeal, parties were notified fixing the matter for hearing on 19/02/2025 for which Respondent No. 1

(APIO/Revenue, PWD, S.D. I, W.D. –XVII, PHE, Pernem) appeared in person on behalf of PIO/Respondent No. 2 (Executive Engineer) but Appellant was absent. Representative of the PIO (Respondent No.2) filed submission with additional copy to the Appellant. Adjourning the matter to 19/03/2025 instructed the representative of the PIO to ensure the Respondent PIO and the former PIO to attend the next hearing in person.

6. PIO and Respondent No.2 appeared in person for the hearing held on 19/03/2025. During the proceedings, Commission observed that information sought by the Appellant is the action taken by the (W.S) Executive Engineer, Sub Division-I, W.D, XVII, (W.S), PWD, Pernem, Goa on Appellant's application to disconnect the water connection of H. No.1092/A, Village Morjim belonging to Appellant.

It is further observed during the proceedings/submission by the Respondent that initially action was not initiated by the PWD authorities stating that disconnection will be made only after payment of pending water bill amount. However, no action has been initiated even after the Appellant (Consumer of water connection) paying pending water bill amount. Appellant was not present for the hearing. Commission directed the Respondent that since the Appellant already paid pending water bill amount immediately disconnect the water connection based on the Appellant's application and provide necessary action taken report/information to the Appellant immediately.

7. When the matter was taken up for further hearing today i.e. 22/04/2025, Appellant remained absent but the PIO and APIO appeared in person and submitted in writing dated 22/04/2025 that complying with the directions of the Commission for a prompt action, water connection bearing Consumer ID 600038662 and Meter No. 73538 issued in the name of Appellant at the address H. No.1092/A, Madhalwada, Morjim is disconnected on 21/04/2025. Since the Appellant is satisfied with the action taken by the O/o. Assistant Engineer, SD-I(Revenue), WD-XVII, (W.S), PWD, Pernem-Goa, Respondent PIO prayed on 22/04/2025 before the Commission to dispose the present appeal.

After the completion of the proceedings in the present appeal today i.e. 22/04/2025, Appellant's authorised person Adv. Santosh S. Anurlekar appeared and filed a submission dated 22/04/2025 stating that since the Respondents acted on the application/complaint of the Appellant Mrs. Devoniz Fernandes, she is no longer interested in getting the information sought vide RTI application and withdrawing the present appeal.

DECISION

Since the Respondents acted on the complaint filed by the Appellant and Advocate for Appellant filed a written submission dated 22/04/2025 withdrawing the present appeal, as no information is required now on the ground of action taken by the Respondents, present appeal warrants no further hearings and disposed the appeal as 'Withdrawn'.

- Proceeding stands closed.
- Pronounced in open Court.
- Notify the parties.

(ARAVIND KUMAR H. NAIR)
State Chief Information Commissioner, GSIC